United Nations E/C.19/2016/L.3

Economic and Social Council

Distr.: Limited
17 May 2016

Original: English

Permanent Forum on Indigenous Issues
Fifteenth session
New York, 9-20 May 2016

Draft report

Rapporteur: Mr. Oliver **Loode**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

International expert group meeting on the theme "Indigenous languages: preservation and revitalization (articles 13, 14 and 16 of the United Nations Declaration on the Rights of Indigenous Peoples)"

1. It is estimated that more than half of the world's languages will become extinct by 2100 (see E/C.19/2005/7). The vast majority of the languages under threat are indigenous languages. For that reason, the Permanent Forum on Indigenous Issues, at its fourteenth session, recommended that the United Nations organize an expert group meeting on the preservation and revitalization of indigenous languages. The Permanent Forum welcomes the report of the meeting (E/C.19/2016/10) and encourages Member States, as well as relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization (UNESCO), to carefully consider its findings and recommendations.

2. The Permanent Forum recommends that States recognize the language rights of indigenous peoples and develop language policies to promote and protect indigenous languages, with a focus on quality education in indigenous languages, including through supporting full immersion methods such as languages nests and innovative methods such as nomadic schools. It is essential that States develop evidence-based legislation and policies to promote and protect indigenous languages and, in that regard, they should collect and disseminate baseline information on the

Please recycle

status of indigenous languages. These activities should be conducted in close cooperation with the indigenous peoples concerned.

3. The Permanent Forum recommends that States and the United Nations system, including United Nations country teams, provide support, including funding, for the efforts of indigenous peoples' institutions to preserve and revitalize their languages, with the particular goal of fluency. Such efforts may include the sharing of positive experiences and the establishment of informal networks or caucuses involved in the promotion and revitalization of indigenous languages, as well as the use of information and communication technologies in indigenous languages. It is important that States provide adequate funding for language revitalization as well as the preservation of cultural heritage. In addition, States should facilitate funding for indigenous language projects from external donors, including the private sector, in accordance with law.

4. The Permanent Forum recommends that the General Assembly, by 2020, proclaim an International Year of Indigenous Languages and draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to adopt further urgent steps at the national and international levels.

5. The Permanent Forum recommends that UNESCO, with the participation of indigenous peoples, urgently declare as the organization's priority the preservation, revitalization and promotion of indigenous languages. UNESCO is also urged to initiate international processes for the establishment of international standards on the preservation of indigenous languages. In particular, the Permanent Forum recommends that UNESCO collaborate with efforts led by indigenous peoples and others to map indigenous languages, such as the Endangered Languages Project.

Studies prepared by members of the Permanent Forum

6. In the light of the dire effects of climate change, such as forced relocation and loss of culture and livelihood, on vulnerable small island Pacific States, the Permanent Forum recommends that United Nations entities, including the International Seabed Authority, UN-Oceans, the Convention on Biological Diversity and UNESCO, comply with and implement the relevant articles of the United Nations Declaration on the Rights of Indigenous Peoples (articles 18, 27 and 32) to ensure the full and effective participation of indigenous peoples. This should include meaningful participation, such as dedicated indigenous representation within each of these United Nations entities, and regard for the indigenous world views.

United Nations E/C.19/2016/L.4

Economic and Social Council

Distr.: Limited
18 May 2016

Original: English

Permanent Forum on Indigenous Issues
Fifteenth session
New York, 9-20 May 2016

Draft report

Rapporteur: Mr. Oliver **Loode**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples

1. The Permanent Forum on Indigenous Issues welcomes the endorsement by Canada of the United Nations Declaration on the Rights of Indigenous Peoples, without qualification. We look forward to its immediate implementation, with full and effective participation of indigenous peoples, as a critical step in the reconciliation process between indigenous peoples and the State.

2. In accordance with international law, the Permanent Forum recommends that all member States of the Organization of American States recognize and respect that the United Nations Declaration on the Rights of Indigenous Peoples affirms the minimum standards for the American declaration on the rights of indigenous peoples.

3. The Permanent Forum welcomes the initiation of a national dialogue to discuss and to achieve key constitutional reforms in the field of justice in Guatemala, and encourages the recognition of indigenous justice systems. We urge Guatemala and the private sector, as well as the World Bank and other international economic institutions, to acknowledge that serious efforts require structural economic and social reforms rather than rapid growth of gross domestic product in order to reverse widespread and growing poverty among the indigenous peoples of Guatemala. Such crucial reforms must ensure more equitable distribution and access to traditional lands for the indigenous peoples of Guatemala, consistent with the

Please recycle

rights affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, and based on respect for and legal recognition of their collective rights, including their self-determined development. The Permanent Forum calls upon the State of Guatemala to reinforce the effective and full implementation of its Peace Accords.

4. Mauna Kea, the sacred mountain for native Hawaiians, is currently targeted for the placement of an international observatory featuring a 30-metre telescope. Such an activity inhibits and is contrary to the rights articulated in articles 11 and 12 of the United Nations Declaration on the Rights of Indigenous Peoples. In addition, the Permanent Forum strongly recommends that the free, prior and informed consent of native Hawaiians be recognized.

5. The Permanent Forum appreciates the contributions of the United Nations Envoy of the Secretary-General on Youth to the advancement of the situation and rights of indigenous youth, as well as his work to combat suicide and self-harm. The Permanent Forum wishes to extend its support to the Envoy in his pursuit of these objectives, and calls upon Member States to implement the recommendations of the international expert group meeting on indigenous youth held in 2013 (see E/C.19/2013/3) in collaboration with the Envoy, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the World Health Organization and the Pan American Health Organization, and to mobilize resources to do so. The Permanent Forum also invites them to its sixteenth session to report on progress on this issue. The Permanent Forum calls upon the Envoy on Youth to work with other United Nations agencies to increase indigenous youth participation at the sessions of the Permanent Forum and all relevant United Nations forums and, in particular, those specifically addressing youth, such as the Economic and Social Council Youth Forum, the youth forum held by the Commission on the Status of Women, youth forums held in conjunction with key United Nations conferences and summits and through the Major Group for Children and Youth, and to report progress in this regard at the sixteenth session of the Permanent Forum.

6. The Permanent Forum urges the consideration of a distinct United Nations voluntary fund for indigenous youth or the earmarking of existing and future funds to increase and enhance the direct participation of indigenous youth at the United Nations. Furthermore, when such a fund is created, we encourage every United Nations Member State to make multi-year voluntary contributions.

7. The Permanent Forum urges States to take necessary measures at the national level for the prevention of self-harm and suicide among indigenous children and youth, in particular by promoting the training of experts in the field of psychology who focus on issues specific to indigenous peoples. Such special training should take into account economic, historical, social, ecological and other factors, such as the loss of indigenous languages, cultures and lands.

8. The Permanent Forum calls upon States to support the activities of representative institutions of indigenous peoples and to avoid any practice of limitation of such activities that are inconsistent with international law. The Permanent Forum urges all States to enable the functioning of indigenous peoples' institutions, in accordance with articles 5, 18 and 19 of the Declaration, as well as its spirit and intent.

9. Taking into account the challenges faced by States in the implementation of their international obligation to consult and obtain the free, prior and informed consent of indigenous peoples, the Permanent Forum commits to developing an international guide to facilitate the implementation of these principles in accordance with the standards established in the United Nations Declaration on the Rights of Indigenous Peoples. The Permanent Forum invites the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples to collaborate on this initiative.

10. In accordance with the right to food security and food sovereignty, the Permanent Forum takes note of the holding of the Indigenous Terra Madre 2015 in Shillong, Meghalaya, in north-east India, from 3 to 7 November 2015, convened by the Indigenous Partnership for Agrobiodiversity and Food Sovereignty with the support of the International Fund for Agricultural Development, the Food and Agriculture Organization of the United Nations, the government of Meghalaya and a number of non-governmental organizations and funding agencies. The event, including a food festival, was attended by delegates from 62 countries and 170 indigenous communities, who adopted the Shillong Declaration of Indigenous Terra Madre 2015. The Permanent Forum likewise commends the initiative to form the Indigenous Food Communities Alliance as an indigenous platform for promoting good, clean and fair food based on agroecological initiatives that respect Mother Earth, are culturally sensitive, value traditional practices and are based on indigenous traditional scientific knowledge.

11. In relation to food security and food sovereignty of indigenous peoples, the Permanent Forum acknowledges indigenous peoples' traditional knowledge, in particular that of indigenous women, and recognizes their cultural, social and environmental practices, which contribute to global efforts and initiatives such as the Sustainable Development Goals.

12. The Permanent Forum calls upon indigenous peoples to share with the world their cultural, social and environmental practices relating to the production and consumption of food, which are part of the solution to the global search for agricultural systems that are just, healthy, peaceful and sustainable.

13. Building upon past work of the Permanent Forum with regard to indigenous women, in particular the study on the extent of violence against indigenous women and girls in terms of article 22 (2) of the United Nations Declaration on the Rights of Indigenous Peoples (see E/C.19/2013/9) and the report of the international expert group meeting on combating violence against indigenous women and girls in terms of article 22 of the United Nations Declaration on the Rights of Indigenous Peoples (see E/2012/43-E/C.19/2012/13) the Permanent Forum recommends that States adopt measures aimed at addressing the specific problems of police brutality, systemic police violence and discrimination against indigenous women, as experienced, for instance, by the indigenous women in Val-D'or, Canada, Sapur Zarco, Guatemala, and north-east India.

14. The Permanent Forum recognizes the recent formation of an ad hoc working group on international repatriation with the participation of States, indigenous peoples and United Nations agencies, including the Expert Mechanism on the Rights of Indigenous Peoples, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the Special Rapporteur in the field of cultural rights, which was reported at this session as another positive step forward in

the implementation of recommendation No. 8 of the fourteenth session of the Permanent Forum.

15. The Permanent Forum requests that UNESCO host a joint seminar with the Expert Mechanism on the Rights of Indigenous Peoples and other relevant United Nations mechanisms for the purpose of exploring the development of a new international mechanism on the repatriation of ceremonial objects and human remains. The Permanent Forum further calls upon all States with national repositories of indigenous cultural items and ancestral remains, including museums and universities, to work with UNESCO to create an international database and inventory of these items accessible to indigenous peoples as a basis for initiating dialogue.

United Nations E/C.19/2016/L.5

Economic and Social Council

Distr.: Limited
18 May 2016

Original: English

Permanent Forum on Indigenous Issues
Fifteenth session
New York, 9-20 May 2016

Draft report

Rapporteur: Mr. Oliver **Loode**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Discussion on the theme "Indigenous peoples: conflict, peace and resolution"

1. States should take effective measures to eliminate violence against indigenous peoples, including by studying the root causes of conflict and human rights abuses, developing indicators and methodologies for risk assessment and early warning mechanisms and improving national legislation for the administration of justice with regard to perpetrators of war crimes.

2. Consistent with articles 7 and 30 of the United Nations Declaration on the Rights of Indigenous Peoples, States should take measures for settlement, protection and security in the post-conflict period, and for the construction of durable and lasting peace, promoting the full and effective inclusion of indigenous peoples, including indigenous women, in any initiative for peace and reconciliation.

3. The Permanent Forum notes that a key message of the 2016 session was the need to combat pervasive violations against indigenous human rights defenders, including criminalization, persecution, violence, imprisonment and killing.

4. The United Nations Institute for Training and Research established peace and conflict resolution training for indigenous peoples in 2001 in response to indigenous peoples' request for training. It is one of the most important human rights training programmes in the United Nations system that examines the root causes of conflict.

5. The Permanent Forum urges Member States to contribute support to make possible the Institute's annual training programme to enhance the conflict

Please recycle

prevention and peacemaking capacities of indigenous peoples' representatives so as to strengthen indigenous capacity to engage in negotiation, dialogue and peace processes to contribute to sustainable peace.

6. The Permanent Forum emphasizes that the protection, security and rights of indigenous girls and women in conflict settings constitute an urgent priority, including within the framework of Security Council resolution 1325 (2000) on women and peace and security.

7. Sexual and gender-based violence increases in settings of conflict. Sexual violence has also been used systematically as a weapon of war against indigenous women. In the light of the particular risks and vulnerabilities of indigenous women and girls relating to sexual and gender-based violence, the Permanent Forum recommends that Governments, local authorities, United Nations agencies and civil society collaborate with indigenous peoples to establish multisectoral and holistic approaches to combat the various forms of violence against women and girls.

8. Consistent with article 7 of the Declaration, the Permanent Forum urges the Inter-American Commission on Human Rights to urgently establish an independent international commission to investigate the assassination of Berta Cáceres of the Lenca people of Honduras.

9. Consistent with article 7 of the Declaration, the Permanent Forum condemns the continued and unresolved disappearance of the 43 trainee teachers of Ayotzinapa, Guerrero, Mexico, who have been missing since 26 September 2014. The Forum calls upon the Government of Mexico to address the issue of their forced disappearance and to take urgent measures regarding the impunity with which the atrocity has been handled by the State, both nationally and internationally. The Forum calls for full compliance with the recommendations of the Interdisciplinary Group of Independent Experts of the Inter-American Commission of Human Rights. It calls upon the Government of Mexico to invite the Special Rapporteur on the rights of indigenous peoples to conduct a country visit to Mexico and to specifically address the disappearance of indigenous young people in Mexico and the systematic use of all forms of violence against indigenous peoples. Furthermore, the Forum invites Mexico to submit a progress report to the Forum at its sixteenth session.

10. With reference to articles 7 and 42 of the Declaration, the Permanent Forum invites Burundi, the Central African Republic, the Democratic Republic of the Congo, Libya, Mali, Nigeria and Rwanda to submit to the Forum at its sixteenth session reports on the situation of indigenous peoples affected by conflict in those countries.

United Nations E/C.19/2016/L.6

Economic and Social Council

Distr.: Limited
18 May 2016

Original: English

Permanent Forum on Indigenous Issues
Fifteenth session
New York, 9-20 May 2016

Draft report

Rapporteur: Mr. Oliver Loode

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Follow-up to the recommendations of the Permanent Forum

1. Consistent with articles 13, 14 and 16 of the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues recognizes that indigenous peoples and their nations, institutions and governments, including the Maskwacis Cree in Canada, have the right to declare their respective indigenous languages as official languages of their peoples in their lands and territories, and the Permanent Forum encourages them to do so.

2. Taking into account paragraphs 11, 14, 15, 17 and 26 of the outcome document of the World Conference on Indigenous Peoples held in 2014 (see General Assembly resolution 69/2) and article 23 of the United Nations Declaration on the Rights of Indigenous Peoples, the Permanent Forum reminds Member States of the need to implement their commitments through national action plans, strategies or other measures, developed jointly and effectively with indigenous representatives on the principle of free, prior and informed consent, in particular to ensure the adequate training and availability of health professionals in indigenous communities as a matter of urgency.

3. The Permanent Forum welcomes the appointment by the President of the General Assembly of James Anaya (United States of America); Claire Charters (Aotearoa/New Zealand); Ambassador Kai Sauer, Permanent Representative of Finland to the United Nations; and Ambassador Ama Akyaa Pobee, Permanent Representative of Ghana to the United Nations, as his advisers and fully supports

16-08047 (E) 190516

Please recycle

their efforts to identify ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them. The Permanent Forum expert members look forward to focused discussion and fruitful collaboration with them as they endeavour to finalize their mandate.

4. Indigenous peoples, including Ktunaxa Nation in Canada, Aboriginal people of Australia and Mayan people of Guatemala, continue to face destruction and profoundly negative effects on their religious, spiritual and cultural sites, affecting their ongoing sacred practices. Consistent with articles 11, 12, 13, 19, 25, 31 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples, and paragraphs 20 and 27 of the outcome document of the World Conference on Indigenous Peoples, the Permanent Forum recommends that States, in their national action plans, strategies and other measures:

(a) Take effective measures to ensure that indigenous peoples' spiritual and cultural sites are protected;

(b) Ensure that, consistent with article 32 of the United Nations Declaration on the Rights of Indigenous Peoples, indigenous peoples are not forced to defend these rights against proposed development projects or through litigation in courts;

(c) Actively resolve disputes directly with indigenous peoples, consistent with article 19 of the United Nations Declaration on the Rights of Indigenous Peoples, given that these rights constitute critical elements of the survival, dignity and well-being of indigenous peoples.

United Nations E/C.19/2016/L.7

Economic and Social Council

Distr.: Limited
18 May 2016

Original: English

Permanent Forum on Indigenous Issues
Fifteenth session
New York, 9-20 May 2016

Draft report

Rapporteur: Mr. Oliver Loode

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

B. Matters brought to the attention of the Council

Recommendations of the Permanent Forum

Dialogue with Member States

1. As a result of the dialogue between the expert members of the Permanent Forum and Member States, the Forum recommends that all Member States:

(a) Prepare, for submission to the Forum at its sixteenth session, reports on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in their countries, with a focus on progress and outstanding issues, in particular in relation to legislative measures;

(b) In recognition of the tenth anniversary of the Declaration, organize activities to commemorate the adoption of the Declaration at various levels, from local to national, including to raise public awareness of the Declaration and the progress achieved.

Dialogue with the funds, programmes and specialized agencies of the United Nations system and other intergovernmental bodies

2. On the basis of the constructive dialogue between the Permanent Forum and the Inter-Agency Support Group on Indigenous Peoples' Issues, the Forum recommends that the members of the Support Group demonstrate strong commitment from the highest level, including by:

Please recycle

(a) Institutionalizing dialogue between the expert members of the Forum and the principals of the funds, programmes and specialized agencies of the United Nations system;

(b) Allocating sufficient resources to implement the system-wide action plan for ensuring a coherent approach to achieving the ends of the Declaration;

(c) Establishing institutional consultation mechanisms to ensure active collaboration and partnership with indigenous peoples at the national, regional and global levels, in both developing and developed countries;

(d) Incorporating specific targets and indicators with disaggregated data to address the key issues and priorities of indigenous peoples at the national level;

(e) Ensuring adequate and relevant cooperation between the Support Group and Forum members holding relevant agency portfolios.

3. The Forum requests the members of the Support Group to include in their annual reports to the Forum information on progress made in the implementation of the system-wide action plan.

Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues

4. Given the holistic and integral vision of indigenous peoples, the Sustainable Development Goals must be implemented in a comprehensive way, taking into account that the absence of a single element would lead to a lack of equilibrium and harmony in relationships among human beings and between human beings and Mother Nature. The Permanent Forum recommends that States and United Nations agencies widely disseminate the Goals to indigenous peoples, using culturally appropriate educational tools and in indigenous languages, observing protocols and times suitable for such dissemination, given the complete lack of knowledge about them.

United Nations E/C.19/2016/L.8

Economic and Social Council

Distr.: Limited
18 May 2016

Original: English

Permanent Forum on Indigenous Issues
Fifteenth session
New York, 9-20 May 2016

Draft report

Rapporteur: Mr. Oliver **Loode**

Chapter I
Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions recommended by the Permanent Forum on Indigenous Issues for adoption by the Council

1. The Permanent Forum on Indigenous Issues recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
International expert group meeting on the theme "Implementation of the United Nations Declaration on the Rights of Indigenous Peoples: the role of the Permanent Forum on Indigenous Issues and other indigenous specific mechanisms (article 42)"

The Economic and Social Council decides to authorize a three-day international expert group meeting on the theme "Implementation of the United Nations Declaration on the Rights of Indigenous Peoples: the role of the Permanent Forum on Indigenous Issues and other indigenous specific mechanisms (article 42)".

Draft decision II
Venue and dates for the sixteenth session of the Permanent Forum on Indigenous Issues

The Economic and Social Council decides that the sixteenth session of the Permanent Forum on Indigenous Issues shall be held at United Nations Headquarters from 24 April to 5 May 2017.

16-08054 (E) 190516

Please recycle

Draft decision III
Report of the Permanent Forum on Indigenous Issues on its fifteenth session and provisional agenda for its sixteenth session

The Economic and Social Council:

(a) Takes note of the report of the Permanent Forum on Indigenous Issues on its fifteenth session;

(b) Approves the provisional agenda for the sixteenth session of the Permanent Forum as set out below:

1. Election of officers.
2. Adoption of the agenda and organization of work.
3. Follow-up to the recommendations of the Permanent Forum:
   (a) Indigenous human rights defenders;
   (b) Indigenous youth.
4. Implementation of the six mandated areas of the Permanent Forum with reference to the United Nations Declaration on the Rights of Indigenous Peoples.
5. Dialogue with indigenous peoples.
6. Dialogue with Member States.
7. Dialogue with agencies, funds and programmes of the United Nations system.
8. Discussion on the theme "Tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: measures taken to implement the Declaration".
9. 2030 Agenda for Sustainable Development.
10. Coordination among the three United Nations mechanisms pertaining to indigenous peoples:

    Dialogue with the Special Rapporteur on the rights of indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.
11. Follow-up to the outcome document of the World Conference on Indigenous Peoples:
    (a) Implementation of national action plans, strategies and other measures;
    (b) Ways to enhance the participation of indigenous peoples at the United Nations;
    (c) Implementation of the United Nations system-wide action plan on indigenous peoples.

12. Future work of the Permanent Forum, including issues considered by the Economic and Social Council and emerging issues.

13. Provisional agenda for the seventeenth session.

14. Adoption of the report of the Permanent Forum on its sixteenth session.